

BOARD OF FORESTRY AND FIRE PROTECTION

P.O. Box 944246
SACRAMENTO, CA 94244 -2460
(916) 653-8007
(916) 653-0989 FAX
Website: www.bof@fire.ca.gov



MINUTES
BOARD OF FORESTRY AND FIRE PROTECTION
March 4 & 5, 2003
Sacramento, California

BOARD MEMBERS PRESENT :

Stan Dixon, Chairman
Kirk Marckwald, Vice Chair
Mark Bosetti
Susan Britting
Robert Heald
Tharon O'Dell
Gary Rynearson

MEMBER(S) ABSENT:

David Nawi

BOARD STAFF PRESENT :

Daniel R. Sendek, Executive Officer
George Gentry
Executive Officer, Foresters Licensing
Donna Stadler, Executive Assistant
Jim Mote, Regulations Coordinator

DEPARTMENTAL STAFF PRESENT :

Andrea Tuttle, Director
Ross Johnson, Deputy Director
Resource Management

CALL TO ORDER

Chairman Dixon called the March 2003 meeting of the Board of Forestry and Fire Protection to order.

REPORT OF EXECUTIVE SESSION

Mr. Daniel Sendek, Executive Officer for the Board, commented that there were no actions taken in executive session.

APPROVAL OF MINUTES

Chairman Dixon asked for Board approval of the February minutes.

03-03-1 Mr. Heald moved to approve the February 2003 minutes as amended. Mr. O'Dell seconded the motion, and all were in favor.

REPORT OF THE CHAIRMAN

Chairman Dixon announced that items 13 and 20 would be combined for discussion today. He commented that he visited several of the committees yesterday and was pleased with the depth of the discussions. He noted that due to budget constraints, the Board needs to hold down meeting and travel costs and asked that Members stay focused on the agenda.

REPORT OF THE DIRECTOR

Ms. Andrea Tuttle, Director, welcomed the Regional Forester, Jack Blackwell. She reported that she and the Regional Forester recently traveled to Lake Arrowhead and that there are real problems in that area. The state is looking for grant funds to help deal with those issues. This is the most alarming condition of dead trees that CDF has ever witnessed. CDF and the Resource Agency have been engaged in commenting on many of the Forest Service proposals coming forward. There will be a meeting later today to discuss fuel management projects in the wildland urban interface.

Director Tuttle commented on the proposed closure of the Ukiah Air Attach Base. She said that, due to the state's budget crisis, all departments are required to come up with areas they could cut from their programs without compromising operational capabilities. CDF believes that there is an operational redundancy at the Ukiah Air Base. The Department believes that it could close that Air Base and still cover that geographical area with the resources surrounding it. What the Department is proposing is in compliance with the Board's Policy. She read the section covering air tanker aviation suppression from the Board's Policy into the record. The decision has been made through the Administration and the Department does not have the authority to open the Ukiah Air Base this season.

Director Tuttle reported that the Department is going to start groundbreaking on the Learning Station at the JDSF and there would be an Open House in the fall. The Learning Station is a cooperative project with funding coming from the Forest Service. JDSF will be jointly housing Forest Service researchers and CDF's forest management staff. She then reviewed current legislation and briefed the Board on the preparation efforts for the upcoming fire season.

REPORT OF FEDERAL AGENCIES INCLUDING USDA FOREST SERVICE, NATIONAL MARINE FISHERIES SERVICE, US FISH & WILDLIFE SERVICE AND US ENVIRONMENTAL PROTECTION AGENCY

Chairman Dixon welcomed the Regional Forester to the Board's meeting.

Regional Forester, Jack Blackwell, commented that Director Tuttle holds a key role not only in California, but also in the Council of Western State Foresters and the National Association of State Foresters in some of their deliberations. She is also instrumental for some of the funds that come into California through that funding mechanism.

Regional Forester Blackwell commented that the USFS and CDF need each other in fire suppression efforts. CDF has coordinated with the Forest Service on the Ukiah Base closure and he is in total agreement with her remarks today. He commented that he had never seen trees and vegetation dye off like those in Lake Arrowhead. In looking at approximately 100,000 acres, one had to look hard to find anything green. He indicated that a fire under those conditions would be devastating. The three county agencies, the state, and the federal agencies are working together extremely well in identifying the problem and how to address it. The Forest Service has sent 1.1 million dollars from other National Forests in California down there to do field work and provide additional suppression forces. Also, the USFS is having discussions with Senator Feinstein and Representative Lewis who sit on the Senate and House Appropriation Committees regarding an emergency supplemental appropriation to deal with that situation this summer. He indicated that any support the Board could generate would be helpful. This emergency supplemental includes dollars for federal, state, and private lands.

Regional Forester Blackwell reported that the Sierra Nevada Framework is under review. There will be review team recommendation coming out this week. He indicated that he would review it and announce his decision within a couple of weeks. It is a delicate balance between protection for wildlife and the fire and fuel concerns.

Regional Forester Blackwell commented that the Sequoia National Monument is controversial in terms of the Plan that is required. The President's proclamation required that a Management Plan be developed. The EIS is out in draft form and deals aggressively with fuel problems; and this means cutting trees. There is a need for some disturbance and clearing, and the Forest Service believes the Plan does that. He commented that there is new Legislative authority for the Forest Service, which was included within the Federal 2003 Appropriation Bill. That authority is called, "Stewardship Contracting." This was a proposal the Forest Service made to the Administration and to Congress, which resulted in a pilot study. The results of that study are in, and it is believed that Stewardship Contracting will be a great tool to go beyond the controversies of the past and go toward the proactive and positive future. He provided an example of a Stewardship Contract for the Board.

Regional Forester Blackwell commented that the Forest Service, and others, is very concerned about the disappearance of Aspen occurring in the Rocky Mountains, and in California as well. The Forest Service and other forces would like to do what they can to solve this problem. There will be more information on this issue in the future.

Mr. Heald thanked the Regional Forester for his report and complimented him and his staff for the progress on the Memorandum of Understanding (MOU) relative to Registered Professional Foresters Licensing. The Board looked favorably at the draft and is still reviewing it. He believes that it is a workable document. He indicated that establishing a partnership that would help reciprocally look at a qualified but exempt program within the Forest Service and the assistance it would give California in its licensing program would be helpful and potentially useful if the USFS moved forward with some of these Stewardship Contracts and proposals.

Ms. Britting commented that she was pleased the USFS would be working with the State on the Sierra Framework and encouraged them to listen to suggestions by the Resources Agency and incorporate some of their ideas. She believes that all those who have worked on the Framework are looking forward to a resolution, and there is a lot of support to see the implementation.

Regional Forester Blackwell asked that people withhold judgment until the complete recommendation package from the team comes out later this week and his decision is announced. There has been an effort to work hard with the inter-agencies team including the state. He indicated that there are proposals within the Framework Review that are a direct result of the input from the State.

Mr. Heald believes that the Sequoia National Monument is an area where there are some critical information gaps. He encouraged consideration of matching the scale and intensity with which any decision relative to the management is implemented.

REPORT OF THE OAK MORTALITY TASK FORCE

Mr. Mark Stanley, California Oak Mortality Task Force Chair (COMTF), reported that there has been about 6 million dollars committed by the federal government for Sudden Oak Death (SOD) in varying categories and reviewed the areas it would go to for the Board. He then reviewed the COMTF report in the Board's binder for the members. He reported that the USDA Agricultural Research Service would receive an additional \$220,800 in SOD funds for Ft. Detrick, Maryland SOD program where *Phytophthora ramorum* research is being carried out in a containment facility. He noted that some of the counties would be receiving funds too. This funding is in addition to their existing SOD budget of \$400,000.

Mr. Stanley reported that there has been a new ornamental species identified, *Pieris japonica*, in the United Kingdom and now has been isolated in the U.S. He commented that the COMTF website is operational and may be viewed at <http://suddenoakdeath.org>. He noted that the website is still under development and comments and suggestions could be directed to the COMTF Webmaster and statewide coordinator at lbriggs@nature.berkeley.edu.

Mr. Stanley commented that on February 5, 2003, the Oregon Department of Agriculture, Oregon Department of Forestry, Oregon State University, and the USDA Forest Service held an informational public meeting in Brookings, Oregon on SOD. Approximately 10 public members attended that meeting. Another informational meeting is scheduled for April.

Mr. Stanley noted that three training sessions are being offered by the COMTF on recognition, sampling, and regulations for *Phytophthora ramorum*. These free sessions are scheduled for March 19 in Felton; April 30 in the Northern Region; and May 29, 2003, in the Bay Area. Further information may be found on the COMTF website. Other dates to remember are: March 12, 2003, Monterey Conference Center, which will provide information on Pitch Canker and insect problems of urban trees along California's central coast, and also on March 12, 2003, the California Indian Forest and Fire Management Annual Meeting will be held. For more information, details can also be found on the COMTF website.

Mr. Ryneerson wanted to know if the "free from surveys" would be included or excluded.

Mr. Stanley replied that, at this time, they would be excluded. They are looking at "free from surveys" as they relate to nurseries. Once there is a protocol for the nurseries, then they will look to see if it could be applied to the wildland. There is some discussion as to who can take a sample for regulatory purposes.

Mr. Heald wanted to know the process for removing soil from paws.

Mr. Stanley commented that paws are probably not a big deal. The COMTF is putting together a guide for the user.

Mr. Ryneerson wanted to know how the public would know when it is in an infected area without "free from surveys."

Mr. Stanley commented that under the regulations, the entire county is regulated; there is no "free from" area within the regulated area.

Mr. Ryneerson inquired about the incentive to landowners to go out and find where infected sites might be and take the required eradication efforts to get of it and to be sure it does not spread from that location.

Mr. Stanley commented that on a harvest operation, the RPF has an obligation under the rules to report those things. For things that are not on a harvest plan there is real incentive. Currently, in state regulations, material must be permitted to move off site. Under a harmonized rule, it will be able to move freely within the regulated area.

Chairman Dixon wanted to know if any new plans have been submitted this month.

Mr. Stanley replied that there were no new counties this month. There are five counties and the COMTF will be going back to Marin County, who handles that contract for the Task Force, to reallocate the funds for those counties that need more. There have not been a lot of request for reimbursement at this time.

Chairman Dixon asked for the names of the counties that have submitted plans to date.

Mr. Stanley replied that they are: Sonoma, Alameda, Monterey, Santa Cruz, and Marin.

REPORT BY THE DEPARTMENT PRESENTING FACTUAL ASSESSMENTS AND BACKGROUND MATERIAL ON THE ISSUES OF OLD GROWTH, CLEARCUTTING AND OAK HABITAT RETENTION, AS WELL AS RECOMMENDATIONS ON SUGGESTED CHANGES TO THE THREATENED AND IMPAIRED WATERSHED RULES AND THE INTERIM WATERSHED MITIGATION ADDENDUM

Chairman Dixon introduced the topic.

Mr. Ross Johnson, Deputy Director for Resource Management, indicated that the information the Department was providing today is all the factual information it has at this time. The order of the presentation today will be; clear-cutting, old growth, T&I rules, and hardwoods.

Mr. Bill Stewart, Chief of the FRAP Program, provided hard copies of the Power Point presentation. His presentation covered current trends and cumulative acres, probable future trends, public issues, economic, social, biological impacts of different trends, and potential policy changes. He showed the annual average of private harvested acres from 1985-2001; coast – harvest acres by silviculture; and the Sierra and the Klamath – harvest acres by silviculture. He reviewed the economic and social implications, biological implications, and the scale of the analysis. He reviewed a map showing the statewide change detection and a graph indicating the number of planning watersheds in the Northern Sierra with 70 percent canopy change in conifers from 1997-2000. He indicated that 549 watersheds had 5 percent area with change. He then reviewed potential policy changes for the Board.

Mr. Jerry Ahlstrom, Staff Chief for Forest Practices, provided a copy of the summary of public comments received on clear-cut issues that the Department had received. He also provided a copy of the Department's written comments entitled, "Clear Cuts, The Regulatory Framework" and reviewed it for the Board. The clear-cutting is currently higher relative to the long steady state into the fourth, fifth, and sixth decades than is on the coast. In the interior, we will see an elevated level now as these stands are adjusted to look at more continued evenaged silviculture than the drop off to the mid-decades. At the end, the plans seem to indicate that there will be a slight rise, but not anywhere near where they are currently.

Ms. Britting wanted to know if the use of herbicide was considered in the Power Point presentation.

Mr. Stewart commented that it was and that he considers it both a water quality and wildlife issue.

Mr. Stewart reviewed the definitions on old growth for the Board. Old growth forest stands—ecological definitions estimated from 3,000+ field plots; late successional stands—canopy part of Forest Practice Rules definition based on California wildlife habitat relationships; old or big trees—diameter and estimated age; and older forest structure—functionality. He reviewed the charts showing the total late successional and old growth forest of California per type, forest cover, late successional forests, and old growth stands; and the old growth and late successional forest by percentage of the total. He noted that the USFS has almost 6 million acres and most of the trees that are over 100 years old are on federal lands. After reviewing several other charts for the Board, he reviewed the potential long-term policy approaches for old growth forests, forest reserves, and older forest structure.

Mr. Johnson commented that there is a regulation on late seral stands and if the harvest proposal is to remove that component, then it would be necessary to supply a lot more information on how it would affect wildlife habitat; the Department rarely gets those types of THPs.

Ms. Britting wanted some perspective on the coastal area and the size of the trees in high quality second growth stands.

Mr. Stewart commented that 32-inch trees in 50 or 60 years are not unusual in the Bay Area. There is a large overlap as to when you get a big tree in California.

Ms. Britting wanted to know how to distinguish areas that are old growth with those that are second growth, or the best high quality second growth, and how that is getting into late seral protections in the Forest Practice Rules.

Mr. Stewart commented that the Department has found that old growth in California cannot be mapped. It is necessary to look at the stands stand by stand; it is very difficult to track.

Ms. Britting wanted to know if there is a class break higher than 24 inch in diameter on the coast.

Mr. Stewart commented that on the larger piece of land there are different classifications, but when you start to use increment cores to figure out if this is the right number it becomes very difficult. The 24-inch is reasonable, but when you try to determine the 40 to 50 inch diameter you start to get a high error rate.

Mr. Bosetti wanted to know if the graph showing the Board of Equalization harvest records depicts the harvest of both public and private timber in California.

Mr. Stewart indicated that it did. However, the early part of that period where it shows a lot of old growth, that is old growth coming off federal lands before the '80s.

Mr. Ahlstrom provided a handout indicating sections of the rules for watersheds with Threatened and Impaired values. He reviewed the sections recommended for clarification, 916.9(r) and 916.9(s); and sections requiring interpretation; 916.9(d)(1), 916.9(e)(1), 916.9(l), and 916.9(o) for the Board.

Ms. Britting wanted to know if any of the sections requiring clarification involve the non-concurrences that occurred last year.

Mr. Ahlstrom commented that the Department has not crosschecked that issue. He indicated that he would do so and get back to her with that.

Mr. Johnson commented that the Board had asked about the Interim Watershed Mitigation Addendum rule and indicated that the Department has not received any yet, so there is nothing to change at this time.

Mr. Marckwald commented that there was a question raised about the timing. He wanted to know if there were any other insights that the Board should look at when considering renewal of this package.

Mr. Johnson said that there were not.

Mr. Stewart indicated that FRAP had more complete details on some of these issues if needed. He then referred to the Oak Woodlands graph and commented that oak woodlands, outside of agricultural and urban areas, are within the purview of the Board of Forestry. He noted that factors affecting the sustainability of oak woodlands are changing in California. Fuel wood harvesting and rangeland practices contribute less to change; whereas vineyards, subdivisions, and rural residential areas are contributing more to change. He then reviewed the chart showing oak woodlands and other hardwoods in California and the map indicating the location of the different species. He then reviewed the current and recent rural residential land use in woodland areas by county. Also, the maps indicating transition from wildland to developed areas in the Central Sierra, North Sierra, North Coast, and the South Sierra. He reviewed the density classes of rural residential wildlands and the Oak woodlands chart showing resource management themes, which deals with SOD and with the sustainability of wildlife habitat in California. Within the county general plan themes, there is public safety, public transportation, and affordable housing. There is a need to share information regarding planning, and expertise across numerous areas of policy, projection, and impacts. Management for sustainable tree products is not that big of an issue. There will be continued vineyard conversion where soils, weather, water, and development costs are favorable. Rural residential lot development is sub-CEQA. Subdivisions do trigger massive CEQA procedures. From an oak woodland point of view there are four different mechanisms going on. The Board has a role in this, and it is more important now than ever before.

Mr. Bosetti wanted to know if the number of acres that is classified as oak woodland and falls under SRA was filtered into this presentation.

Mr. Stewart commented that it was not, but that it could be done.

Mr. Marckwald wanted to know if there are any counties that stand out as having better or more effective efforts locally.

Mr. Stewart commented that it would depend on their overall land use policy.

REPORT OF THE INTEGRATED HARDWOOD AND RANGE ASSESSMENT PROGRAM ON CHALLENGES TO OAK WOODLAND PROTECTION AND RETENTION

Mr. Douglas McCreary, UC Davis Integrated Hardwood Resource Management Program (IHRMP) commented that the focus of the IHRMP has changed in recent years, because the threats to oak woodland resources have changed. Agricultural conversions, residential and commercial development, and sudden oak death are three areas that the IHRMP has been particularly active in addressing recently. Also, the IHRMP has continued to address the threats posed by poor oak regeneration. The IHRMP is focusing on minimizing the adverse impacts from residential and commercial developments, including low-density and ranchette-style development. While developments must go through planning departments in the counties, requirements regarding impacts to oak woodlands are quite varied and protecting trees is often not prioritized and, often does not result in viable oak retention. Loss of habitat in some areas is inevitable, but with thoughtful planning it may be possible to minimize negative impacts.

Mr. McCreary reported that the recent IHRMP activities regarding development impacts are: Funding of a study to assess county planning policies; funding of a second study to assess policies in a cross-section of counties having hardwood rangeland in an effort to determine how effective and consistent current policy tools are; working with the Change Detection Program to identify principal causes of change; hosting oak woodland symposiums; help with facilitation of planning approaches in Santa Barbara, Lake, and Mendocino Counties; Serve on local committees addressing these problems and provide assistance in the development of locally derived approaches; facilitate numerous general workshops and field trips addressing these subjects; and revision of the *Planner's Guidelines* to assist planners in developing planning strategies consistent with woodland conservation.

Mr. McCreary commented that supporting the conservation easement process is important. He reviewed the *Assessment of effectiveness of conservation easements in helping to protect resource values in face of development pressures* for the Board. He suggested some recommendations for development. In some situations, educational approaches can effectively instill in local residents and policy makers sufficient concern and appreciation for oak woodlands and the values associated with them. In other situations, education can be less than effective in changing behaviors that threaten the conservation of oak woodlands. He provided some examples for the Board. The IHRMP has put considerable effort into revising the *Planner's Guidelines for Oak Woodlands*. However, there is research that suggests that planning departments may not have the political will, expertise, or the information necessary to ensure minimal long-term impacts on natural resource conservation. The counties need additional resources to develop sustainability an essential goal for oak woodland conservation. Also, land trusts and conservation easements will play a critical role in oak woodland conservation.

Comment: Huh? Are you trying to say that some Counties really do take care of this with local project oversight.

Mr. McCreary commented that Sudden Oak Death (SOD) is another issue the IHRMP has become involved with. It is not yet clear how extensive the impacts of this disease will be, but it is obviously a serious concern that could potentially decimate some oak woodlands. He reviewed the activities of the IHRMP relative to SOD for the Board. He noted that the IHRMP and an Oak Woodland Conservation Workgroup have been successful in securing funding to help train UC and county personnel to identify disease and provide management information. He then provided a brief overview of the efforts being made to prevent the spread of SOD and a recommendation for the Board. The IHRMP recommends that the Board support efforts to allocate more state resources to address this problem.

Mr. McCreary commented that a continuing emphasis of the IHRMP has been to address concerns associated with the problems of poor natural regeneration of several native oak species. Research funded by the IHRMP has addressed the issue of what causes poor natural regeneration and how to overcome it. He commented that the IHRMP produced a booklet titled *Regenerating Rangeland Oaks in California* a little over a year ago. IHRMP has also been active in hosting field days and workshops to present latest information to restoration consultants,

RPFs, arborists, and others involved in the artificial regeneration of oaks in California. The next one of these will be on May 1, 2003, at the Sierra Foothill Research and Extension Center.

Mr. McCreary suggested that a policy alternative to promote oak conservation through oak planting programs would be to develop a grant process to support oak planting efforts.

Mr. Heald wanted to know the status of county policies toward oak woodlands and what is being doing and the time lines.

Mr. McCreary commented that 80 to 90 percent of the counties have some type of mechanism in place to address oak woodland conservation. There is a new study that is in its initial stages. It will develop information about what every county is doing and will contain some narrative language. Thus far, he does not believe that it has been a resounding success.

Mr. O'Dell wanted to know which counties the second study would affect.

Mr. McCreary commented that he believes it will address all of the oak woodland counties, except the three counties that already have a policy in place.

Mr. O'Dell wanted to know whether those areas in England were private or public lands.

Mr. McCreary commented that they are mostly private lands.

Mr. O'Dell asked about incentives for private participation.

Mr. McCreary commented that there are some hefty incentives. He commented that in last several years vineyard conversions have assumed increasing importance and considerable visibility in high value, populated coastal valleys.

Ms. Adina Merenlender, Natural Resources Specialist with the IHRMP in the North Coast Region, provided copies of her presentation to the Board. She reviewed her presentation, which viewed the environmental issues surrounding forest and woodland conversions, recent conversion trends, and existing policies. She noted that Napa, Sonoma, Lake, and Santa Barbara Counties have some type of protection in place and reviewed those for the Board.

Ms. Merenlender reviewed a portion of the "Dunne 2001 Report" relative to cumulative watershed effects for the Board. The first step in addressing cumulative watershed effects is to establish causal linkages between land use and ecosystem condition as is seen on her graph. She reviewed it for the Board and noted that the pool data was taken by CDFG.

Ms. Merenlender reviewed the number of timberland conversion permits, granted and pending, for vineyard development in the aforementioned counties since the Forest Practice Act was implemented. She commented that sound planning could greatly reduce the impacts of growth on California's land and water resources.

Ms. Merenlender reviewed policies and regulations for Santa Barbara, Sonoma, Napa, and Lake Counties for the Board. She commented that large-scale vegetation removals receive different levels of environmental oversight depending on location, tree species, and the final land-use designation. Hence, situations arise where the scale of impacts to the ecosystem can be similar, but are regulated differently depending on forest type. She reviewed issues raised by CDF and Lake County Planning staff that oversees CEQA review of large-scale conversions. She provided suggested improvements to the existing process: review of timberland conversions focuses on removal of commercial species, which is often only a small percent of the total project; adequately address cumulative impacts for wildlife due to habitat removal and fragmentation; expand notification to neighbors beyond the current standard radius; and adopt and strengthen local grading ordinances. She commented that the process is not consistent among all proposed projects.

Ms. Merenlender then provided recommendations for policy and regulatory actions. A blend of state oversight to ensure the oak woodland landscapes are protected with local policies that can account for differences in oak distribution and land use policies would improve the environmental review process that is currently lacking. Improving the ability to address landscape oak woodland conservation might lessen the burden on small landowners who can sometimes find themselves regulated tree by tree.

Ms. Merenlender provided recommendations for policy and regulatory actions. Regulatory safeguards are necessary to protection biotic diversity in non-timberlands and to ensure the sustainable use of California's natural resources. State oversight is necessary for large-scale conversion of native plant communities and oak woodlands in particular.

Mr. Rynearson wanted to know if there was data where a timberland conversion was not required and whether the land was converted.

Ms. Merenlender commented that it would be hard to estimate because the scale which land monitoring data comes in is not at a very high resolution. Getting accurate data on agricultural expansion is very difficult.

Mr. Rynearson wanted to know if they were primarily done on an initial study or under a full EIR.

Ms. Merenlender commented that the grading ordinance does not require CEQA review. If there is no timberland, there is no review.

Public comment

Mr. Warren Alford, Sierra Club, commented that the cumulative impact is being ignored and that the cumulative analysis is not being done well. He provided a graph for the Board. He believes that the Board should be proactive in addressing oak woodland issues particularly in the area of fire protection.

Mr. Richard Gienger believes that, in terms of old growth, there needs to be a focused review on THPs. He commented that the Threatened and Impaired rules, Section 916.9 (d)(a) needs to be quantitative when appropriate; and Section 916.9 (e)(1) needs to include Class III migration zones.

Mr. Janet Cobb, president of the California Oak Foundation (COF), commented that people believe that it is the Board's responsibility for the statewide protection of oaks. She noted that 20,000 acres of ancient Blue oaks would be taken out throughout the state.

Mr. Tom Gaman, RPF and member of the California Oak Foundation, commented that the issue is about the fate of approximately a billion trees. The COF would appreciate whatever help the Board could come up with for the protection oak woodlands, and urged the Board to provide the necessary leadership.

Ms. Abbie Jacobson commented that the forest practices did not change in Calaveras County until 2000; there is a need for more recent data.

Mr. Felice Pace, Klamath Forest Alliance (KFA), commented that there are aesthetic issues that should be looked into. He referred to the clearcut handouts he provided and reviewed them for with the Board.

Mr. Mark Rentz, California Forestry Association (CFA), commented on the question last month regarding IWMA usage. There are OAL concerns and the EPIC lawsuit. There is an interest in the process. He asked that the Board consider reviewing the IWMA for a two-year sunset.

Mr. Frank Barron, Crane Mills Lumber Company, commented that Crane Mills was going to attempt to use the IWMA towards the end of this year. Crane Mills has a number of concerns expressed in a recent letter to the Board. He asked for an extension of the expiration date on the IWMA and encourage other agencies to cooperate. He indicated he would keep the Board up to date of their progress.

Mr. Craig Thomas, Sierra Nevada Forest Champaign (SNFC), expressed concerns over the clear-cutting issue and the impact it has on spotted owls. He commented that SNFC is still trying to get oak protection in El Dorado County.

Mr. Eric Huff, Big Creek Lumber Company, commented that he echoes the comments made by Mr. Rentz and Mr. Barron regarding the IWMA. He encourages the use of the process to develop trust and supports the extension.

Ms. Britting wanted to know what was under the control of the Board.

Mr. Johnson commented that it comes down to definition of a "commercial species."

Mr. Heald indicated that he would like a review from Board's Counsel or FRAP on what mechanism are available for CEQA review of oak woodlands.

Chairman Dixon believes that discussion belongs in committee.

**PRESENTATION BY THE DEPARTMENT ON EXISTING AND PROPOSED MECHANISMS FOR
MAINTAINING OPEN PUBLIC CONTACT REGARDING MANAGEMENT OF THE JACKSON
DEMONSTRATION STATE FOREST**

Mr. Ross Johnson, Deputy Director for Resource Management, commented that this item was not an action item, only a report. He referred to the Jackson Demonstration State Forest Outreach/Communications Plan in the Board's binder and reviewed it. He highlighted existing and new initiatives that JDSF will use to enhance participation of all interests in JDSF management and expand the public's awareness of this unique and prized resource. They include scheduling at least two to four public meetings annually to inform the public on upcoming activities on the forest. JDSF will take input and suggestions throughout the year from the public and any community sponsored advisory groups and meet with such groups at their request. As funding and staff are available, JDSF will sponsor regular woods tours open to the general public. Also, as funding is available, the Director's State Forest Advisory Committee will meet at least once per year in the Mendocino County area and include a public forum. There will be periodic guest editorials to the Ukiah, Mendocino, Willits, and Santa Rosa newspapers. Ongoing efforts include: field trips and JDSF management meetings of the Mendocino County Forest Advisory Committee to provide information regarding JDSF activities, being an active participant in the Noyo Watershed Alliance, and JDSF will mail a notice of its intent to prepare a THP to all persons owning property within 300 feet of the boundary of the proposed THP area. The Department holds periodic research forums and produces research reports. CDF, in cooperation with the USDA Forest Service, UC Berkeley, Cal Poly San Luis Obispo, and Humboldt State University, has embarked on the development of a network of forest learning centers. At least once a year there is a forest newsletter on current activities.

Chairman Dixon wanted to know if the Department could provide a quarterly report to the Board.

Mr. Johnson indicated that they could. Also, CDF is planning to come back to the Board within the next couple of months with updates. The Department is working on a draft report now and will be sending it to its advisory committee for review.

Mr. Marckwald wanted to know if the JDSF has had any discussions with the Citizen's Advisory Committee.

Mr. Johnson commented that the Citizen's Advisory Committee have a couple of meetings scheduled, but he does not believe that CDF was asked to attend.

Ms. Britting commented that she believes that the Department was cc'd on a recent JDSF Citizen's Advisory Committee letter.

Mr. Johnson commented that CDF would accept their input. However, CDF has a management plan in place and is going to implement it and will be judged on that plan.

Ms. Britting wanted to know how the Department was going to respond to the Citizen's Advisory Committee's, or any other group's input.

Mr. Johnson commented that the Department is open to that input, but committees can only meet once a year. He believes that the group that is formed in Mendocino will be giving the Board feedback.

Public comment

Mr. Greg Jirak, *Ad Hoc* Citizens Advisory Committee, commented that there were public concerns expressed at their February 18, 2003, meeting and believes that an advisory committee would be desirable.

Ms. Britting expressed her concerns regarding the once a year time line.

PRESENTATION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE WATER RESOURCES CONTROL BOARD, DESIGNATED REGIONAL WATER QUALITY CONTROL BOARDS, AND THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Mr. Ross Johnson, Deputy Director for Resource Management, reported that the draft Memorandum of Understanding (MOU) has changes since yesterday and almost everything regarding monitoring has been taken out. CDF will meet with all of the agencies involved with the next six months.

Chairman Dixon asked for a copy of the latest draft.

Mr. Johnson commented that if you cross off most of section four the rest of the MOU remains the same. Water Quality has not seen the latest draft, but will have it tomorrow.

Mr. Marckwald wanted more explanation of the thinking in the changing of the monitoring.

Mr. Johnson explained that it was just informational items that were deleted; it might be regarded as underground regulation. The Department believes that it was better to take that section out and discuss it with all the agencies, including the Board.

Chairman Dixon wanted to know how the Department plans on dealing with the monitoring issue outside the scope of this MOU.

Mr. Johnson commented that other agencies would be brought in to discuss this issue. He believes that deleting monitoring from the current MOU would result in another MOU on how to address the issue of monitoring.

Chairman Dixon commented that he was glad that the Board would be involved in those discussions. The Legislature expressed a strong interest in the issue of monitoring and he is committed to keeping the leadership abreast of this issue and requested that the full Board be kept up to date.

Mr. Johnson commented that CDF would be inviting the Board and other agencies to participate in these discussions. There was a proposal that the Executive Officer of the State Water Board be a co-chair of the MSG. The Department indicated to the State Water Board that a decision involving the MSG would have to come from the Board.

PRESENTATION BY THE CALIFORNIA FOREST PEST COUNCIL ON THE BARK BEETLE OUTBREAK IN SOUTHERN CALIFORNIA

Mr. Brian Barrett, California Forest Pest Council (CFPC), provided the introductions of those presenting today's presentations. He referred to the Board's binder and the CFPC's resolution for the Southern California Tree Mortality Emergency.

Dr. David Wood, UC Professor Retired, provided the Board with copies of the new Forest Pest Handbook, titled *Pests of the California Conifers*. He acknowledged CDF and the US Forest Service for the funding of the book.

Mr. Kevin Turner, CDF Assistant Chief, provided the Board with a short video of a flight taken by Forest Service personnel showing the overview of the bark beetle problem. He provided some background for the Board.

Mr. Turner and Kathleen Edwards, provided the Board with a Power Point presentation on the Bark beetle outbreak in Southern California, and provided hard copies of the presentation for the Members and the record.

Mr. Turner commented that San Bernardino and Riverside Counties have formed a Mountain Area Safety Task Force (MAST) in December 2002. That task force consists of all the fire agencies, transportation agencies, law enforcement agencies, water districts, some of the UC system, Fire Safe Councils, and others have come together to come up with a plan. This is being managed like an Incident organization, and public and employee safety are the priorities.

Chairman Dixon commented that it looks worse now than when he visited these sites. He expressed his concern regarding approximately 5000 dwellings in the area and the 3200 that have been cited for fire safe regulations.

Ms. Edwards replied that compliance orders are being issued as a first step, so they have not yet been cited.

Mr. O'Dell wanted to know what the private insurance companies were doing regarding the insured properties.

Mr. Turner commented that some of the companies are canceling policies and telling homeowners that if you have a known hazard and you fail to abate it and it falls on your house or that of your neighbor, you would not be covered.

Mr. O'Dell wanted to know if the Department issues a hazard warning and the homeowner does nothing, would that be enough evidence for the insurance company to cancel the policy.

Mr. Turner indicated that he could not speak to a policy of the insurance companies. However they will not cover you if you have a known hazard.

Ms. Edwards commented that the insurance companies are not helping the landowner get rid of the hazard, so all of the expense falls to the landowners. Also, land values are decreasing.

Mr. Rynearson wanted to know if any of the trees were being utilized commercially.

Mr. Turner indicated that some of them are going to the Terra Bella mill, which is six hours away and the profitability is very marginal.

Mr. Marckwald believes that if paperwork is a problem in the process, the Board may need to enact emergency rules.

PRESENTATION BY THE SENSITIVE SPECIES WORKING GROUP

Mr. Marty Berbach, Department of Fish and Game and Working Group Facilitator, provided the Board with a progress report outlining the current status of the Sensitive Species Working Group's discussions and a Power Point presentation. He listed several recommendations to the Board where consensus has been achieved and suggested continued discussion where consensus has not yet been reached. He provided an overview of the Group's tasks, as assigned by the Board in 2002, and provided a proposed goal for the Sensitive Species Rules and a set of criteria for identifying sensitive species. Copies this presentation are available at the Board Office.

Mr. Rynearson wanted to know what outcome the Group was expecting.

Mr. Berbach commented that he did not know, but that they were experimenting with thresholds.

Mr. Marckwald wanted to know when the Group expected to come back before the Board.

Mr. Berbach indicated it would be in about one year perhaps more, but the Group could provide updates as it goes.

Mr. Heald encouraged the Group to continue looking into a habitat approach.

Chairman Dixon commented that the Board supports the efforts of the Group and encourages it to continue with its meetings.

DEPARTMENTAL UPDATE ON THE ADMINISTRATIVE CIVIL PENALTIES PROGRAM

Mr. Jim Wilson, CDF Forest Practice/Licensed Timber Operator programs, provided the Department's written report on Administrative Civil Penalties PRC 4601.1 to the Board. He provided some background on SB 621 passed by the Legislature in 1999. That legislation provided the Department with the ability to assess administrative penalties for violations of the Forest Practice Act and rules and regulation of the Board. The bill set the maximum penalty for each violation at \$10,000.00 per day. To date, 35 civil penalty cases have been referred to the Department by the Region Offices. He reviewed the categories those cases fell into. He noted that the Department is approaching the Administrative Law Judges (ALJ) in an effort to educate them on issues related to the Forest Practice Rules and the Forest Practice Act.

Chairman Dixon asked that the Board receive a copy of his written comments.

Mr. Heald wanted a better understanding of how civil penalties are estimated.

Mr. Wilson commented that the Department has a spreadsheet of penalty criteria. The spreadsheet has a narrative for each violation and how grievous each violation was. The Department's Counsel has advised CDF that it falls under client/lawyer confidential communication. The Department has gone through each of the violations and came up a number based on maximum \$10,000.00 fine.

There was some interest expressed by Members of the Board in viewing those spreadsheets.

Mr. Wilson indicated that he could provide a blank spreadsheet and go through a hypothetical violation with the Board.

Mr. Heald commented that he would find that valuable. However, his concern is that without the logic used by the Department, the Board would be second-guessing the Department. He suggested that the Board should commune with the Department's logic more thoroughly to feel comfort relative to reviewing these cases when they come before the Board.

Mr. Marckwald wanted to know if the proposed decisions that were issued by the ALJ, and approved by the Board, contained reduced penalties.

Mr. Wilson indicated that they had been in every case.

Mr. Marckwald expressed doubts as to the utility of the appeals process to the Board, as well as the ALJ's involvement. He is not convinced of the necessity for the Board's involvement into this process. He wants to have a conversation with the author of SB 621 to try to understand his intent to determine if this process makes sense.

Mr. Bosetti commented that one of the options in that section of the rules allows for the Board to defer to an ALJ to hear the case and come back to the Board for ratification. Or the Board could also allow the ALJ to

render a final decision without coming back to the Board. He then wanted to know about the costs involved in preparing a civil penalties case.

Mr. Wilson replied that it takes between 60 and 80 hours for the Department's forest practice inspector to put together a case report. The Department has no less than three weeks of personnel time into a case report before it gets close to sending it off to the AG's office for assignment. Then the OAH is charging \$160 per hour for the ALJ's time; the estimated cost of presenting one of these cases would be between \$2,000 and \$3,000.

Mr. Bosetti then wanted to know if there were any other processes available to the Department to prosecute these cases.

Mr. Wilson commented that PRC 4601 makes any violation of the Forest Practice Act or the Board's rules a misdemeanor, which means that the Department could take any of these cases to the District Attorney's Office for prosecution. Due to staffing and budget issues, many counties have turned away from misdemeanor prosecution for violation of the Forest Practice Rules. One alternative is a civil process through the criminal court; seven cases have been handled through this process.

Chairman Dixon wanted to know if SB 621 has been a deterrent.

Mr. Wilson commented that he believes that it has been a very effective deterrent. Many of the criminal cases have been settled for \$400.00 to \$500.00 and probationary time. He commented that SB 621 has been very beneficial on the compliance with Forest Practice Rules. The process that the Department is going through is having some growing pains.

Mr. Rynearson believes that it is appropriate for the Board to be involved with the visit to the ALJ through its Executive Officer for the discussions of alternatives.

Mr. Wilson commented that his intention is to bring back options for the Board's consideration. His understanding is that through the Administrative Procedures Act, one is required to have an Administrative Law Judge present to advise on points of evidence and procedure should the Board decide to hear the case.

There was some further discussion.

Mr. Heald suggested that the Department consult with the author of SB 621 to see if an appeal could go to superior court.

Mr. Marckwald indicated that this discussion should continue at the next Policy Committee meeting.

PUBLIC FORUM

Mr. Richard Shoemaker, Mendocino Board of Supervisors (BOS) and Co-chair of the Coalition to Save Ukiah Air Attack, provided the Board with his written comments and read them into the record. The Mendocino BOS believes that the issue of closing the Ukiah Air Attack base is of the utmost urgency. He provided his background and that of the Coalition for the Board. They believe that the closure of the base is wrong. He noted that the Legislature rejected the proposed cut of the Ukiah Air Attack Base in the midyear budget adjustments. However, it has come to the attention of the BOS that CDF will not open the base for the 2003 fire season. The Coalition is asking this Board to listen, review the information provided, and exercise its legal authority to avert what will only lead to degradation of the resources the Board is charged to protect. He requested that the Board adopt both a regulation and a resolution on this issue.

Mr. Ed Robey, Lake County Supervisor, does not believe that the Department's cost analysis is accurate. He asked for the Board's help in resolving this issue.

Mr. Mike Jani, Mendocino County Farm Bureau, commented that Mendocino County depends on that air attack base. He asked that the Board give some thought to the public trust resources.

Mr. Jim Little, Forest Landowners of California (FLOC), believes that the Department has taken simplistic facts in coming up with its proposal. He believes that the proposal is protecting structures and not the resource. He asked that the Board use its authority and oversight to review this decision to remove the Ukiah Air Attack Base.

Chairman Dixon commented that he just recently received the package and would like more time to review it. He indicated that he would like to set up a meeting with members of the Coalition, Senators Chesbro and Berg, and Director Tuttle to clarify this issue.

Supervisor Shoemaker expressed his appreciation for the offer.

It was agreed that that meeting would take place before the Board's April 2003 meeting.

Mr. Jim Ostrowski, Timber Products Company, referred to his letter, previously sent to the Board, regarding THP monitoring and the Goshawk and the Adaptive Management process. He then reviewed it for the Board.

Mr. Bernie Bush, Simpson Resource Company, making a comment for Mark Rentz of the California Forestry Association; asked that the Board direct staff to prepare a 45-Day Notice to continue the IWMA process for two or more years. CFA is requesting 30 to 40 minutes on the Board's agenda for a presentation on the State of the Economy of the Forest Products Industry.

Mr. Robert Di Perna, EPIC, provided a copy of a packet regarding clear-cutting as it relates to Sustained Yield Planning (SYP) and reviewed it for the Board. EPIC believes that it provides a case for amending PALCO's SYP.

NOTE: Chairman Dixon had to leave and Acting Chair Marckwald took over the meeting.

Mr. Warren Alford, Sierra Club, presented a letter from the Environment California, Sierra Club, Sierra Forest Protection Campaign, and the Wilderness Society regarding the Sierra Nevada Framework. The letter requests that the Board call upon the US Forest Service's Region 5, to implement the Sierra Nevada Framework.

Mr. Felice Pace, Klamath Falls Alliance, commented on the Threatened and Impaired Rules. He read Section 916.9 (0) into the record. He believes that drought situations make the area more dependent on forest soil.

Mr. Bill Keye, California Licensed Forestry Association (CLFA), provided two handouts to the Board and responded to the Kuehl Report.

Mr. Richard Gienger read Section 916.4 into the record and expressed his frustration. He suggested that his issue is not being adequately implemented. He also commented on the IWMA and the NCWAP.

Acting Chair Marckwald referred to items 13 and 20 on the Board's agenda and asked that each of the Committee Chairs comment on their discussions yesterday during Committee reports. The Chairman has asked that the Committees continue to work through their list of priorities for discussion next month. He suggested that both the Threatened and Impaired Rules and the IWMA go to the Forest Practice Committee to consider the suggested changes regarding the timing and longevity and some specific word changes to the T & I package next month and then come back to the Board with a recommendation for a 45-Day Notice.

Mr. Rynearson commented that he believes that the IWMA should also go through the *Ad Hoc* Committee.

Mr. Heald agreed.

Acting Chair Marckwald commented that the both packages needed to be parallel with the other.

NOTE: Member O'Dell took over as acting Chair in the absence of both Chairman Dixon and Vice Chair Marckwald.

Mr. O'Dell asked for Committee reports.

REPORT OF THE ADVISORY COMMITTEES

RANGE MANAGEMENT ADVISORY COMMITTEE (RMAC)

Mr. Jeff Stephens, Executive Secretary to RMAC, provided the Board with a draft letter to the Department and was forwarded to the Resources Agency regarding the reduction of committee meetings. RMAC has not received any feedback as yet. RMAC is very concerned about meeting only once a year. On February 18, 2003, RMAC met with the Department's FRAP unit to discuss the range information that is being compiled for the 2002 FRAP Assessment. As a result, selected material has been extracted from the FRAP draft and FRAP has asked RMAC to peer-review that material and report back by March 26, 2003. He reported that RMAC participated in the US Forest Service's Conservationist Annual Workshop. A one-day session was devoted to a panel discussion with additional speakers that were organized by RMAC. RMAC contributed in the actual presentation by welcoming people to the workshop and acting as master of ceremony. UC, Texas A&M, BLM, US Forest Service, several private individuals representing the range and livestock industry served on some of the panels. East Bay MUD, and SF Water District spoke on the panels. The objective was to explore some of the case histories that have occurred in the North Western US in terms of building coalitions between stakeholders depending on rangelands under federal management and the environmental community and the managers. He believes that it was a very successful workshop.

MONITORING STUDY GROUP (MSG)

Mr. Peter Cafferata, CDF, Resource Management Hydrologist, reported that the MSG met on February 11, 2003, at Howard Forest and noted that the meeting was well attended. He provided copies of his written summary of that meeting and reviewed the key items with the Board. There was a short Power Point presentation by UCCE on a watershed scale pilot monitoring project being implemented at Hopland Field Station as part of the large contract UCCE is completing for DFG on monitoring fish habitat restoration projects. O'Connor Environmental provided a Power Point presentation on sediment budget work completed for the Freshwater Creek watershed in Humboldt County as part of the PALCO HCP watershed analysis requirement and based on the Washington DNR approach. A representative from the California Geological Society provided a Power Point presentation on the landslide inventory completed in clearcut units logged from 1982 to 1995 in four separate watersheds on the Jackson Demonstration State Forest. He commented that he provided a brief summary of the MSG Workgroup meeting held on February 10, 2003, to discuss the cooperative THP-scale Instream Effectiveness Monitoring Projects planned with SPI and Campbell Timberland Management. He noted that the next MSG meeting is scheduled for April 21, 2002, at Howard Forest. He reported that he and John Munn, CDF Soil Erosion, would be presenting Hillslope Monitoring results on crossings at the Watershed Workshop that is being presented by CLFA in Sacramento.

Mr. O'Dell expressed his support of the MSG and its staff.

PROFESSIONAL FORESTERS EXAMINING COMMITTEE (PFEC)

Mr. George Gentry, Executive Officer for Licensing, commented that the last PFEC meeting was held February 27, 2003, to review and provide input on the exam for registration scheduled for April 11, 2003. The PFEC approved 60 applicants to take the April exam. He reported on the ongoing proposed license reciprocity with the states of Maine and North Carolina. Due to public input, there may be some conflict in the statutes with granting blanket reciprocity with those two states. However the issue is being further studied. Both of these states have a six-year experience requirement and the California statute requires seven years of experience.

Mr. Gentry referred to the Board's binder and the RPF vital statistics. He asked for Board action on the requests for license withdrawal by Chris Town, RPF 2665, and Daniel Hggins, RPF 2123.

03-03-2 Mr. Ryneerson moved to approve the requests for license withdrawal of the aforementioned RPFs. Mr. Heald seconded the motion, and all were in favor.

Mr. Gentry reported that Michael Evans, RPF 2896 has requested the reinstatement from withdrawal status of his license.

03-03-3 Mr. Heald moved to approve the reinstatement of RPF 2896, Michael Evans. Mr. Ryneerson seconded the motion, and all were in favor.

FOREST PRACTICE COMMITTEE

Mr. Heald, Chairman of the Forest Practice Committee, commented that the Committee had only a brief review of each of the items sent by the Board. The Committee took input and received presentations, but did not finish the discussion amongst Committee members. The Committee looked at authority and necessity and tried to develop a recommendation to the full Board on how to proceed on those items. The Committee believes that the resources are not available for the rule reorganization item at this time. The Committee reviewed two exiting items: seeps, springs and wet areas, previously present to the Committee by the FRAWG and recommended that that process continue in committee. The issue of deciduous hardwoods was reviewed and recommended to the Board that the Committee work to finalize that rule language at the next meeting or two, then send a recommendation to the Board to issue a 45-Day Notice. He suggest that the Notice coincide with a report from the Department where it will report to the Board on the initial effects of the Board's last years change to the Cumulative Effects section that dealt with similar issues. The Committee then discussed the issue of clearcutting and possibly breaking it down into parts. The recommendation to the full Board is that the Forest Policy Committee handle that issue, but if they cannot make a decision by mid-year, it should come back to the Forest Practice Committee. There was also discussion as whether or not there could be a definable alternative to clearcutting, and the Committee would like to keep that issue for further discussion. The Committee believes that there are some misconceptions about silvicultural methods and the Committee would like to keep working on that issue. The Committee would like to continue on Class II watercourses and have the Agency Working Group come up with a concept on redefining Class II watercourses into multiple classes and to redefine Class III watercourses. There was discussion regarding State Demonstration Forests, and the Committee recommends that the forests that are coming up for review be brought to the Board as a whole. The Committee also discussed, but did not prioritize incentives task force, SNTMP and Certified Forests, Forest Practice enforcement issue, exemption process issue, and harvesting in Class III watercourse channels. There was a request from a member of the public to review the re-entry period and the tree size limits.

RESOURCE PROTECTION COMMITTEE (RPC)

Mr. Bosetti, Chairman of the RPC, reported that the Committee identified, as one of its priorities, the review of the Fire Plan. The Board adopted the last version in 1996 and the Plan and was to be reviewed every five years. In the 1996 Plan, there was a task force appointed by the Board to develop the Plan. The Committee is in the process of deciding whether to initiate a task force or just to conduct a review. The Committee will continue with the review of the Fire Policy pertaining to cooperative agreements and to the Vegetation Management Policy. The Committee did not have a chance to discuss the issue of SOD.

POLICY COMMITTEE

Mr. O'Dell, Chairman of the Policy Committee, reported that the old growth issue was not resolved, but the Committee will continue its discussions of that item. The Committee received a presentation on oak woodlands, but delayed any recommendations on oak policies until after the presentation today; this issue will be further discussed at the next Committee meeting. The Department provided a presentation on THP filing issues and it believes that the issue is not likely to get better than it is, but is willing to cooperate in any way to come up with some answers. The Committee discussed the possibility of convening a committee that would take plans that were rejected to see if committee examination would come to the same conclusion. This would take a fair amount of time on the part of committee members. Thus far, there are no volunteers for such a committee. The Department believes that unless there is an alternative that they are not aware of, there will always be a number of

plans that do not get through the process the first time of submission. The Policy Committee discussed the Management Agency Agreement at some length. The Committee, in response to a letter from the North Coast Water Board asking that the Committee address a number of issues, decided to try to get a meeting or some kind of communication from the Water Board on those issues. He commented that the percent of harvest, which is a threshold issue, was brought up and is a difficult issue that will need to be discussed at great length. He then read through the balance of the Policy Committee's list of items.

Mr. Ryneerson wanted to know if it would be appropriate to agendize the state of the industry report.

Mr. O'Dell expressed concern that it may not give enough preparation time to for the industry to get that assembled. He commented that it would be helpful to the Committee to have that report prior to its discussion.

Mr. Ryneerson wanted to know if it would be possible to get copies of the Department's statistics regarding THPs.

Mr. O'Dell asked that the Department provide that information to the Board.

AD HOC ROADS AND WATERSHED COMMITTEE

Mr. Ryneerson, Chairman of the *Ad Hoc* Committee, reported that the Committee met to discuss four agenda items. The Department provided its Road Rules Committee Report and is planning to provide a draft rule package in April. The Committee spent time reviewing two draft letters regarding the Road Management Plans, as directed by the Board. Those letters will go to the Acting Director of NOAA Fisheries in Long Beach and the Chairs of the four Regional Water Quality Control Boards. The letters request the involvement and cooperation of these boards to work the Board of Forestry's *Ad Hoc* Roads and Watershed Committee in an effort to develop a road management plan that would address the regulatory requirements of these agencies. The Committee agreed that a third letter should also be sent to the Fish and Game Director addressing the programmatic 1603 approach and addressing some of the requirements of the Coho recovery. He asked that the Board approve that third letter.

Acting Vice Chair O'Dell approved that action.

Mr. Ryneerson commented that in Committee next month, the National Marine Fisheries Service would provide a presentation by the requirements of a 4 (d) "take" limit. The Committee will develop a broad outline for a road management plan that would be presented at the next Committee meeting. The Committee reviewed its four priorities. The review of the IWMA is an important issue that will be discussed further in April. The cumulative threshold evaluation discussion was referred back to the Policy and Management Committee. The Committee discussed the Dunne report and decided to send a letter to the Federal EPA and Water Quality to determine if there are any funds and the desire to go forward with the implementation of this pilot project. The Road Management Plan is a high priority for the Committee. Also, the Roads Rule Package that is being developed by the Inter-agency Committee will be coming back to the *Ad Hoc* Committee. The Committee reviewed the 1999 Water Quality proposed rules package and believes that it would be better to send it back to Water Quality to reformulate the rule package.

Mr. Heald asked that, by consent, the Board direct the Chairman to send the letter regarding the proof of concept project. He recommended that at the next Committee meeting, dealing with the Road Management Plan, discussions start from a draft.

Mr. Ryneerson indicated that he and staff would prepare a draft outline for a road management plan with the basic elements.

Mr. Heald commented that the Forest Practice Committee did have a presentation by the Regional Water Quality Control Board staff explaining the waiver process for Lahontan and the Central Valley regions. He recommended that the Board keep apprised of that issue because documents were being sent out this week and there are some workable details.

Mr. Ryneerson commented that another issue that did come up from the Central Valley is that there are three different programs for waivers and the fourth has not been developed yet.

Mr. Heald commented that the expectations in the Central Valley was that they would participate materially in about 30 percent of the reviews and the waivers would be conditional on their agreement in the THP review process. But for 70 percent of the THPs submitted, the waiver would be conditioned upon meeting a certain set of standards that were not up for discussion.

There was some further discussion on the waiver issue.

Acting Vice Chair O'Dell recommended that the issue should go back to Forest Practice Committee for discussion.

Mr. Heald requested that staff makes sure that the FPC gets copies of whatever is sent out by the Central Valley and Lahontan.

Ms. Britting believes that there are water quality issues in each of the Committees and that all of those issues are connected. She believes that it is important to keep track of these issues and to have some unity.

Acting Vice Chair O'Dell believes that this is going to happen whether the Board participates or not.

Ms. Britting believes that it is part of a larger issue in terms of water quality that the Board is trying to deal with.

Mr. Heald commented that he is open as to where the discussion goes, but wants to be sure that there is some understanding of what the current process is and identify any potential issues.

Mr. Ryneanson indicated that the Board is dealing with Water Quality on two different levels of administration regarding TMDLs, waivers, 303 (d), and 208. They are different regulatory programs that we are trying to deal with.

Mr. Bosetti commented that there were some other items on the RPC agenda that he did not report on, but would report on the next month.

REPORT OF THE EXECUTIVE OFFICER

Mr. Daniel Sendek, Executive Officer for the Board, reported on Legislation for the Board. He provided a copy of the Board draft meeting schedule and commented that he had discussions with the Chairman, the Resources Secretary, Director Tuttle, and the Deputy Director in charge of Finance regarding budget restrictions. He reviewed the proposed schedule with the Board. The Joint meeting with the Fish and Game Commission has been postponed due to travel considerations; that meeting could take place in October or November. The Department's report on rule implementation will be given in April. He noted that he would be attending the CLFA Annual meeting speaking on how to get involved in the regulatory process from the Board's standpoint.

NEW AND UNFINISHED BUSINESS

There were no comments.

ADJOURNMENT

Acting Vice Chair O'Dell adjourned the March 2003 meeting of the Board.

Respectfully submitted,

ATTEST:

Daniel R. Sendek
Executive Officer

Stan Dixon
Chairman

Copies of the attendance sheets can be obtained from the Board Office.